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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,287	04/09/2001	Chang-Hwa Yang	JCLA6515	6877

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4 Venture, Suite 250  
Irvine, CA 92618

07/27/2004

EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/829,287

**Applicant(s)**

YANG ET AL.

**Examiner**

Shawki S Ismail

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-12 are presented for examination.

Acknowledgment is made of applicant's claim for foreign priority

#### *Claim Rejections - 35 USC §102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by

**Steinberg**, U.S. Patent No. **6,750,902**.

4. As to claim 1, Steinberg teaches a system for directly forwarding image data captured by a scanner, comprising:

a remote server computer having an application program for processing received image data (destination device 18, col.4, lines 61-64, receives downloaded image;

a user-end computer for transmitting image data to the remote server computer (communication device 10, col. 4, lines 33-37, sends data to the destination device 18);

and

a scanner having a scan button thereon and coupled to the user-end computer, wherein the scanner scans an object item and extracts image data from the object item when the scan button is pressed, and the image data is directly forwarded to the remote

server computer via the user-end computer (camera 12, col. 4, lines 42-47 and lines 53-60, the camera 12 take a picture then sends the image to the communication device for further processing and then the image is forwarded to the destination device.)

5. As to claim 2, Steinberg teaches the system of claim 1, wherein the object item includes a document or a photograph (col. 1, lines 25-28, a user is able to take a picture with the camera 12.)

6. As to claim 3, Steinberg teaches the system of claim 1, wherein the user-end computer includes:

a driving program for processing the scanned object item and directly forwarding image data of the scanned object item to the remote server computer (col. 4, lines 27-41, the communication device 10 is programmed to perform operations on data received from the camera and to send received data to the specified remote destination;)

an input/output interface connected to the scanner for receiving image data from the scanner and forwarding the driving program processed image data to the remote server computer (input 20, col. 4, lines 48-60 and output 30, col. 11, lines 30-40); and

a storage device for holding the image data from the input/output interface and the processing data from the driving program (col. 1, lines 25-31, a PC card is used to store the images.)

7. As to claim 4, Steinberg teaches the system of claim 3, wherein the driving program processes a desired object item by setting a series of preset values (col. 2, lines 64-67, the user inputs data such as camera operational parameter.)

8. As to claim 5, Steinberg teaches the system of claim 4, wherein the series of preset values set by the driving program includes a resolution preset value, a color model

preset value and a dimension preset value values (col. 2, lines 64-67, the user inputs data such as camera operational parameter, some of which might be resolution values, color model values and dimension values.)

9. As to claim 6, Steinberg teaches the system of claim 3, wherein the direct forwarding of image data to the remote server computer by the driving program includes transmitting parameters related to the image data to the remote server computer (col. 2, lines 15-20, the communication device is able to transmit the image and data about the image to a remote destination.)

10. As to claim 7, Steinberg teaches the system of claim 6, wherein the parameters related to the image data transmitted by the driving program includes a resolution parameter, a color model parameter and a dimension parameter (col. 2, lines 15-20, the communication device is able to transmit the image and data about the image to a remote destination, the data about the image might include resolution parameter, a color model parameter and a dimension parameter.)

11. As to claim 8, Steinberg teaches the system of claim 1, wherein the user-end computer forwards image data to the remote server computer via an Internet (col. 2, lines 4-10.)

12. As to claim 9, Steinberg teaches the system of claim 8, wherein the image data is transmitted to the Internet via a modem or a local area network (col. 2, lines 4-10.)

13. As to claim 10, Steinberg teaches the system of claim 1, wherein the application program processes incoming image data transmitted from the user-end computer by filing the image data or printing out the image data (col. 12, lines 28-36, when the data is received it can be printed automatically or archived.)

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14. As to claim 11, Steinberg teaches a scanner capable of directly forwarding data of a scanned object item from the scanner to a remote server computer, wherein the scanner has a button for initiating a scanning of the object item and then forwarding the scanned data directly to the remote server computer (camera 12, col. 4, lines 42-47 and lines 53-60, the camera 12 take a picture then sends the image to the communication device for further processing and then the image is forwarded to the destination device.)

15. As to claim 12, Steinberg teaches a method of directly forwarding scanned image data from a scanner, comprising:

pressing a button on the scanner; and scanning an object item on the scanner to obtain image data and forwarding the image data to a remote server computer via a user-end computer (camera 12, col. 4, lines 42-47 and lines 53-60, the camera 12 take a picture then sends the image to the communication device for further processing and then the image is forwarded to the destination device.)

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 703-605-4362. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-306-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail  
Patent Examiner  
July 13, 2004, 2004

  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER